

**PLANNING COMMISSION
COMMISSIONER'S HEARING ROOM, COUPEVILLE, WA
TUESDAY, FEBRUARY 25, 2014**

	<i>Members Present</i>	<i>Members Absent</i>
<i>District 1</i>	<i>Val Hillers – Chair</i>	
	<i>Dean Enell</i>	
	<i>Mike Joselyn – Vice Chair</i>	
<i>District 2</i>		<i>Jeffery Wallin</i>
		<i>VACANT</i>
		<i>Leal Dickson</i>
<i>District 3</i>	<i>Wayne Havens</i>	
		<i>Beth Munson</i>
		<i>Scott Yonkman</i>

Meeting was called to order at 9:03 a.m. by Chair Hillers.

ROLL CALL

Val Hillers, Mike Joslyn, Wayne Havens, Dean Enell

Minutes:

NONE

Planning staff present: David Wechner – Planning Director, Will Simpson – Long Range Planning

ITEMS FROM THE PUBLIC

None

DIRECTOR'S REPORT

Dave Wechner stated WSDOT Bridge Project was approved and was not appealed it will include a scenic pull out on Whidbey Island.

- Update to the Smartgov is finalized and will be in training. Long range planning staff is currently seeking to fill one position and another position has opened up in the current land use department.
- Brad Johnson has stepped up and is covering the Critical Areas Ordinance Update.
- The building department is also reviewing Town of Coupeville permits and inspections.
- The Cornet Bay Project has been completed.
- March 10, 2014 Joint Session to discuss the 2014 Annual Review Docket

Will Simpson discussed the Fish and Wildlife Update, there was a technical advisory meeting last week and received draft policy language and code language. They are currently waiting on comments from the advisory board.

Commissioner Hillers wanted to know when the Planning Commission would be reviewing the update.

Will they are currently on track to meet the July deadline. On the March 10th, Joint Session Brad will be able to give more information. They are currently finalizing the 2014 Annual review Docket. Most of the items this year are a little different from previous years, the packet that will be sent to them by the end of week.

Commissioner Havens had a concern regarding the population growth and the impacts to boat ramps and access to public facilities that are very limited in space. He gave the example of Maple Grove Road boat ramp on Camano Island. He asked that the County look into the limited access to public facilities being impacted by the population growth.

Dave Wechner stated that we do not know the Public Works acquisition plans. The issue may be brought to Bill Oakes attention and for information.

Commissioner Enell stated that IBA Island Beach Access, who have been trying to open up about 90 county road ends across the island. They have met with Bill Oakes to discuss beach access and the group is very involved in meeting the needs for the public.

Dave Wechner brought the Planning Commissioner's attention to the number of customer contacts the Planning and Building Department have throughout the month.

OLD BUSINESS – Public Meeting – Continuation of the Workshop on I-502 implementation. Planning Commission workshops are not meant for a Public Forum. Planning workshops are to inform the commission on workshops strictly.

Dave Wechner explained the SEPA Determination and appeals process.

- First public hearing is set for March 11, 2014.
- As part of the hearing on the 11th the Planning Commission would be adopting the SEPA determination as part of the findings.
 - ICC 17.03.180.BB.
 - 17.03.040 definitions.
 - Permitted uses, tables, and zones.
 - There are some land use standard anomalies that are being looked for clean up.
- Discussed KOMO News article re: Washington cuts size, number of legal pot grows.
 - The state will narrow the number of applications to one license a piece.
- Colorado has no cap on production.
- WA state revenue forecast is \$172 million over a five year span.
- Page one is DRA 049/14-reference to Washington review code and the fact adopting those standards.

Commissioner Hillers asked that staff provide a brief summary of what constitutes a Type I or Type application process for the Hearing and what would require SEPA.

Commissioner Havens asked where the Building Code requirements are referenced.

Director Wechner stated they are not reflected since they are adopted as a whole County wide.

- SEPA policies are in ICC 16.14.
- Discussed where each Tier fell under Type I, Type II, and Type III permit process.

Commissioner Hillers asked there was a process for outside processing applications. She also asked if there should be a citation regarding building permits.

Commissioner Enell inquired what would be considered appropriate as a home industry.

Director Wechner referenced 17.03.180 subsection (j) and subsection (k) to explain what is allowed as a home industry and home occupation. WAC has restriction against home occupation. He will also add the note under subsection (h) for further clarification.

Commissioner Hillers inquired if there should be a citation about building codes under the ordinance as well.

- One example fire suppression code.
- Description of outdoor screening and requirements/standards, no less than 30ft.
- Screening height is 8ft for outdoor grow. 17.03.180.P of Island County Code refers to general standards.
- Process of notice of applications timeframes and notifications.
 - Provide a short summary of notification process and appeal opportunities.
- Discussion of Marijuana Producers application procedures and standards.
- Discussed the application procedures and standards for Marijuana Processors.
- Discussed the application procedures and standards for Retailers.
 - Subject to type II process.
 - No limit to the size of a retailer.
 - Item 5 - Production, processing and retail is prohibited in the Rural Residential zone.
- Rural Service zone is permissible since it is not a residential component; it is not in the Ebey's Reserve.
 - Positive aspect is repurposing old structures.
- Item 4 – Ebey's Landing National Historic Preserve farmers have a concern on why they are not allowed to produce on their land.
 - Board of Commissioners has concerns within Ebey's Landing.
 - This type of agriculture predominantly takes place indoors.
 - Invite the members of the Reserve to the hearing.
- Unable to locate the definition of Marijuana in WAC.
- There is a general definition for processors.
- Hemp production is not addressed. Is this allowed in the county?
 - Commissioner Enell said that state law did not address it.
 - David said building code does address hemp.
- Ordinance Amendments –17.03.035 the Use Tables and amending/updates
 - Table cross-referencing does not clearly explain all of the caveats that may arise.
 - Most applicants are not aware to cross reference all aspects of the code.
- Currently collaborating with City of Oak Harbor.

- Production and processing to occur in Oak Harbor-Rural, Oak Harbor- Planned Business, Oak Harbor- Industrial Park, are UGA areas and is consistent with their ordinance.
- APZ zone is an overlay zone and it does not restrict the grow of marijuana.
 - There is a table referencing the APZ in code, 17.03.180.Z
 - Marijuana grow and processing is allowed in the APZ as well as mini-storage.
 - Additional discussion on items allowed in the APZ carried on
- Discussion whether marijuana is considered light manufacturing or agriculture.
- Addressed Chapter 16.19.140 covers the processing of applications. It discusses the notice of application public comment period.
 - Type II application is made by publication and posting of the subject property. It does not receive a 300 foot mailing notice; this only applies to a Type III application.
 - Commissioner Hillers asked that a brief description for the notice publication for types of applications be provided for the next meeting.
- Appeals:
 - Type I - applicant may appeal the decision.
 - Type II – open record appeal and must be filed within 14 days of decision; may be filed by county department, applicant or any aggrieved person may appeal the decision.
 - Type III - county department, applicant or a party of record who is aggrieved may appeal the decision.
- A copy of the SEPA Checklist will be sent to Ebey's Reserve for review and comments.

Commissioner Enell asked what would change for those who have applied to the Liquor Control Board once the moratorium is lifted. He also inquired if the Liquor Control Board will continue to review the applications.

Will Simpson responded that the Liquor Control Board will still be issuing licenses and applicants are still required to abide by the local regulations. A copy of the additional material released will be sent to the Commissioners.

Commissioner Havens asked if there have been positive or negative comments submitted into the County.

Mr. Wechner said that there have been some calls regarding the process. A copy of the schedule has been sent to those that have questions regarding the current process. There has been one gentleman that received a denial letter from the Liquor Control Board and whether or not they wanted to continue with their application.

Commissioner Havens stated that Stanwood would not be having any retail sales of marijuana.

Commissioner Hillers asked for the location and time of the Hearing to be held on March 11, 2014. She also expressed her concern regarding the possibility of a large meeting and procedures.

Commissioner Enell moved to adjourn, Commissioner Havens seconded, motion carried unanimously.

Meeting adjourned at 10:55 a.m.

Respectfully submitted,

Virginia Shaddy